



State of Michigan
Citizen's Foster Care Review Board Program

Permanency for Our Most Vulnerable Citizens

2002 ANNUAL REPORT



The children depicted on this cover live in Wayne County and are available for adoption. Please contact the Michigan Adoption Resource Exchange ("MARE") at 1-800-589-6273

Overview

Recognizing that children in the foster care system are at risk, citizens from every county in Michigan have joined together in local communities on Foster Care Review Boards (FCRB) to review selected foster care cases.¹ Citizen review boards review selected cases of children who are in foster care as the result of abuse or neglect. Review panels are composed of private citizens who review plans for permanent placement of children in foster care and make advisory recommendations to the court, Family Independence Agency, and private child placing agencies. Moreover, through its annual report, the Foster Care Review Board Program (FCRBP) recommends system modifications to ensure the quality and consistency of placement services for children statewide, using data collected at the local level. Review panels make findings and recommendations relative to permanency planning and ensure that courts and social service agencies receive objective and timely feedback as to the quality of the service delivery. Additionally, through the review of individual cases, review panels collect data on Michigan's compliance with established outcome measures.

In August 2002, the State Court Administrative Office (SCAO) combined the Court Improvement Program (CIP) with the FCRBP. The coordinator of the CIP became the manager of Child Welfare Services with administrative responsibilities for both programs.

While the FCRBP collects data, identifies barriers to timely permanency, and recommends systemic improvement, the CIP provides federal funds to the judiciary to assist in providing quality assurance in child protective proceedings, a role which was cast for courts by federal law beginning in 1980. Together, the FCRBP and the CIP are the principal and crucial components of the Court's Child Welfare Services Division, which coordinates the provision of management assistance to the child welfare system through training, reviewing foster care cases, and the development and oversight of a variety of court improvement projects. Thus, the information harvested from citizen reviews is used to inform the Unit as it develops court improvement projects and makes funding decisions aimed at the improvement of child protective proceedings.

Message from the State Court Administrator

In 2002, Michigan Foster Care Review Board volunteers continued their selfless efforts on behalf of Michigan's foster children; providing an independent view of how our child welfare system operates, and making recommendations for improvement at the state and local levels. This year marked the 18th year for the Foster Care Review Board Program, making it one of the longest standing programs in the country.

The first foster care review board program began 25 years ago in New Jersey.

There can be nothing more important than the welfare of our children. Achieving permanency for children in foster care is vital.

"There can be nothing more important than the welfare of our children."

Increasing attention is being focused on the need for continuing improvement in the performance of our foster care system. The Michigan Foster Care Review Board will continue to offer valuable insights affecting the well-being of individual children in the system. The credibility of the FCRB Program and the independence of its volunteers has provided the opportunity for the Program to play a key role in foster care system improvement by developing and implementing enhanced quality assurance measures. That initiative is underway. The SCAO looks forward to continued collaboration with Program volunteers to make the Michigan foster care system a model for other states.

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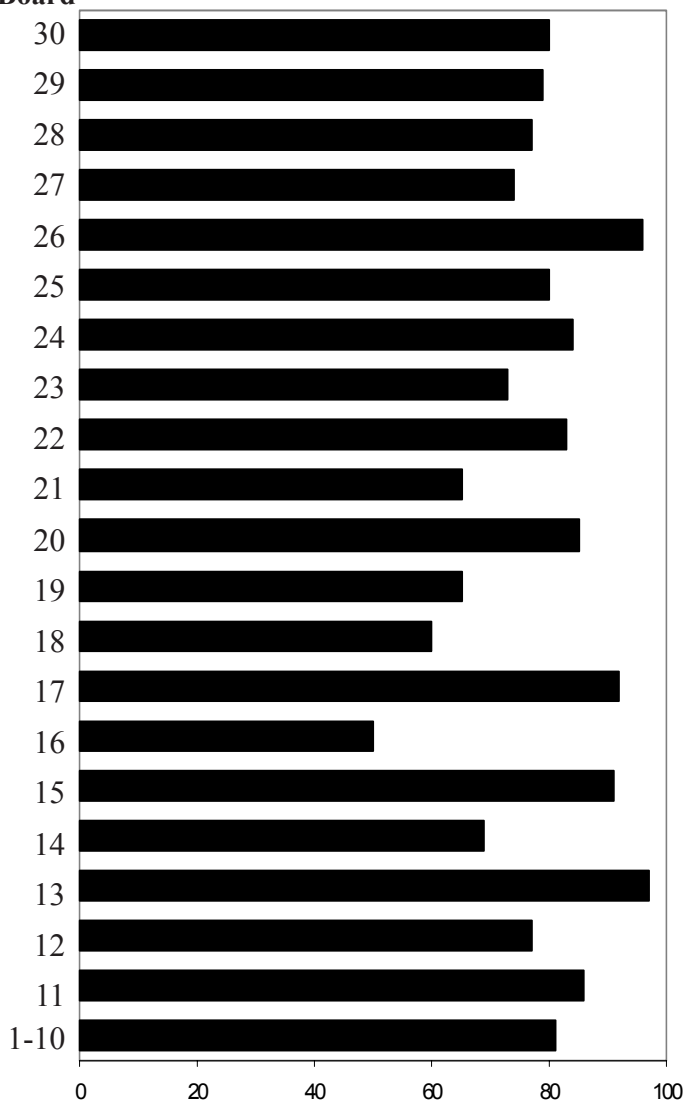
¹ The FCRBP was established pursuant to Public Act 422 of 1984 (MCL 722.134 - 722.139a) in an effort to improve children's foster care programs in the state. There are 30 local citizen review boards covering each of Michigan's 83 counties.

Local Board Functions

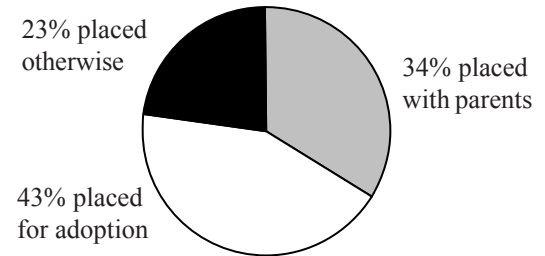
- 27,881 children were served by Michigan's foster care system during 2002
- 30 citizen review boards with over 200 citizen volunteers served Michigan's 83 counties
- During 2002, citizen volunteers conducted 2,843 reviews and reviewed 2,217 foster care cases

In 2002, 15 out of 30 boards were in 100% agreement with the permanency plans of permanent wards while the remaining boards were between 89% and 97% in agreement. Agreement with the permanency plans of temporary wards was more varied as shown below. For county data, see the Foster Review Board Program website at: <http://courts.michigan.gov/scao/services/fcrb/fcrb.htm>.

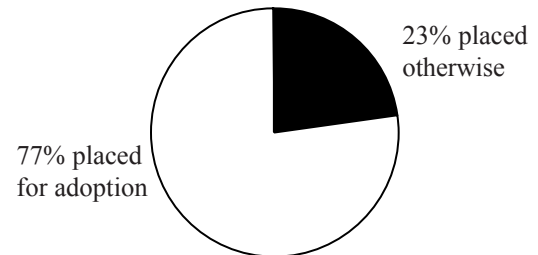
Board*



Resolution of Cases Under Foster Care Review for Temporary Wards



Resolution of Cases Under Foster Care Review for Permanent Wards



*Boards by Number and Counties Served

- 1-10 - Wayne
- 11 - Oakland
- 12 - Macomb
- 13 - Genesee
- 14 - Huron, Lapeer, Sanilac, St. Clair
- 15 - Livingston, Monroe, Washtenaw
- 16 - Ingham
- 17 - Hillsdale, Jackson, Lenawee
- 18 - Barry, Clinton, Eaton, Gratiot, Ionia, Montcalm, Shiawassee
- 19 - Saginaw, Tuscola
- 20 - Branch, Calhoun, St. Joseph
- 21 - Kent
- 22 - Kalamazoo
- 23 - Muskegon
- 24 - Allegan, Ottawa, VanBuren
- 25 - Berrien, Cass
- 26 - Bay, Clare, Gladwin, Isabella, Midland
- 27 - Benzie, Lake, Manistee, Mason, Mecosta, Newaygo, Oceana, Osceola
- 28 - Antrim, Arenac, Crawford, Grand Traverse, Iosco, Kalkaska, Leelanau, Missaukee, Ogemaw, Oscoda, Otsego, Roscommon, Wexford
- 29 - Alcona, Alpena, Charlevoix, Cheboygan, Chippewa, Emmet, Luce, Mackinac, Montmorency, Presque Isle
- 30 - Alger, Baraga, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Marquette, Menominee, Ontonagon, Schoolcraft

Disproportionate Minority Representation

By Ernestine Moore, Esq.

In Michigan, minority children are overrepresented in children's protective services substantiations and foster care placements. Their representation in the State in CPS and foster care is approximately two times their representation in the general population. In Wayne County, their representation in foster care is approximately one-and-one-half times their representation in the general population. The data available is insufficient to conclusively inform us as to the reasons for this overrepresentation.

Michigan had a 2000 Census child population of 2,595,767 of which 577,680 or 22% resided in Wayne County. The racial composition of children statewide was 75% white, 17% black, 5% Hispanic, .7% Native American, and 2.3% Asian/Pacific Islander, and Multiracial. (Source: US Census 2000)

In FY 2002, the distribution by race of CPS' victims were 57% white and 43% other races; of foster care placements were 39% white and 61% other races; and of adoptive placements were 46% white and 54% other races. (Source: Children's Protective Services Management Information System Report PS 31 D; Children Services Management Information System Report CY 093, and AFCARS Adoption Reporting System Report No: A00029: State Ward Finalized Adoptions by Race of Child).

The Wayne County Minority Overrepresentation Think Tank chose the term "minority overrepresentation" over "disproportionate representation" because the latter had connotations of decision-making based specifically on racial considerations. "Minority overrepresentation" was simply defined as having a greater percentage of children of minority races (Black, Native American/Indian, Mexican/Hispanic, Asian/Pacific Islander, Multiracial/other) in the foster care system than their percentage representation in the county population. This term was used because we had no certainty that race was a major factor in the actual decision-making.

This initial inquiry confirmed what we already knew: minority children are overrepresented in the child welfare system. What we still don't know is WHY. Additional data is needed to reach conclusions that will assist us in making productive changes in our policies and practices or in identifying how the children's best interests are served by inclusion in the child welfare system. This later inquiry would be very interesting in relation to the 47% of children supervised by foster care program staff who are placed in their own homes or with relatives. Do these children and families have access to services/benefits because of their inclusion in the child welfare program that they would not have if they were not included?

At a minimum, we need to discern, by race and age, the relationship between reason for referral/type of abuse/neglect and outcome; protective services dispositions by worker, by referral reason; comparative analysis of parental and family characteristics that led to the child's removal and continued placement including nature and dispositions of prior protective services referrals, and the interventions/services needed and provided to child and parents prior to foster care placement and the interventions/services needed and provided to child and parents after foster care placement. For permanent court wards/MCI wards, who are becoming a greater percentage of the child welfare population (approximately 32% in FY 2002), we need to identify the reasons they have not been adopted if adoption is the plan and ensure that the interventions/services needed are provided to ensure successful transitions from foster care to independence. After this information is available, then policy and practice change discussions can occur objectively and with meaning.

While the additional data is being collected and reviewed, the State and its child welfare contractors should focus attention on developing integrated systems that provide timely services (specifically housing, substance abuse and mental health services for parents and children) and trained and supported caseworkers (areas identified in FCRB Annual Reports as Barriers to Permanency for Children).

One certainty arises from this data exploration: a very small percentage of Michigan's children were substantiated as victims of neglect and abuse or under the supervision of foster care in FY 2002. Only 1.2% of all Michigan children and 1.3% of all Wayne County children were substantiated victims. Only 0.7% of all Michigan children and 1.4% of all Wayne County children were under the supervision of the foster care program. Thus we should have the political will to carefully examine why these particular children are victims when many of their peers who experience similar hardships do not become victims. Then we should implement the necessary changes in policies, practices, and funding to eliminate, reduce, and mitigate the negative impacts of victimization on children to ensure their individual capability to function effectively as citizens and parents now and in the future.

Ms. Ernestine Moore, MSW, JD (retired) can be contacted at moorerne@umich.edu.

Barriers to Timely Placement

Because last year's barriers to permanency are essentially the same as this year's, rather than merely restating last year's recommendations, last year's recommendations have been revisited to see what changes, if any, had occurred in the past 12 months. In short, we found that despite a tough budget year and staff shortages due to early retirements, Michigan's foster care system has made progress. Indeed, many of the recommendations that we made last year are being addressed in Michigan's Program Improvement Plan ("PIP"), which Michigan is currently developing in response to the federal Child and Family Services Review ("CFSR").³

In fact, the FCRBP is an integral part of the state's PIP. Moreover, as the PIP asks citizen reviewers to play a substantial role in quality assurance, we will be well-poised in the months to come to review and report on the state's progress toward the achievement of enhanced outcomes for foster children.

Consequently, although it appears that substance abuse programs in Michigan still do not adequately serve the parents of abused/neglected children, this year we focus our recommendations on a perennial challenge that has appeared for the first time in our top 12 barriers to permanency; namely, "Caseworker Change Delays Progress."

Delayed progress from caseworker change is a perennial challenge deserving Michigan's undivided attention.

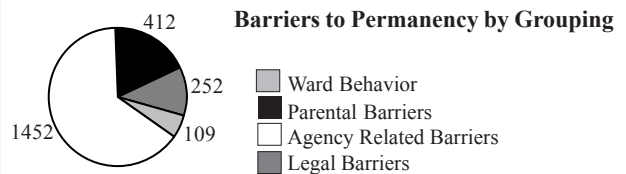
In its March 2003 Report to Congressional Requesters the United States General Accounting Office finds that: "A stable and highly skilled child welfare work force is necessary to effectively provide child welfare services that meet federal goals." The report goes on to point out that "[caseworker] recruitment and retention challenges have affected the safety and permanency outcomes of children in foster care."⁴

Hence, we must ask ourselves why caseworker change delays progress towards the permanency plan. There are several components to the *caseworker change* barrier, which include the lack of worker retention, a lengthy hiring process, and the interim period where caseworker change occurs which results in inadequate documentation of the plan. We have also observed that 70% of workers leave due to issues of compensation. Consequently, this year we only make recommendations to address this perennial challenge.

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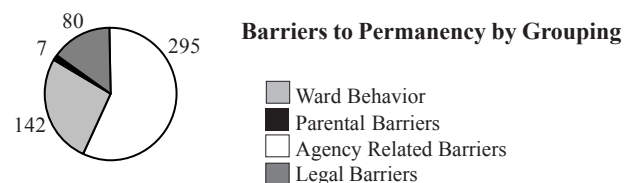
2002 Top 12 Barriers to Permanency; Temporary Court Wards

1. Lack of insight into problems
2. Substance abuse problems
3. Non-compliance with parent/agency Agreement
4. Lack of judgment (vulnerability to inappropriate influence of others/peers)
5. Plan inappropriate (based on documentation, does not appear feasible)
6. Inability/unwillingness to protect child
7. Ward behavior
8. Inadequate/inappropriate housing
9. Low functioning (lack of coping skills, limited abilities)
10. Resistant/uncooperative to service intervention
11. Caseworker change delays progress
12. Other (Parental, Legal, or Agency related delays)



2002 Top 12 Barriers to Permanency; Permanent Court Wards

1. Ward behavior
2. Lack of appropriate adoptive homes
3. Appeal of termination pending
4. Lack of progress (established plan not addressed in a timely or substantive manner)
5. Placement-related issues
6. Caseworker change delays progress
7. Legal issues
8. Inadequate supervision of caseworker
9. Inadequate coordination between FIA and POS
10. Guardian ad litem not taking active role in case
11. Uncovered case (case temporarily without permanently assigned caseworker)
12. Lack of documentation in case record



³ For more information on the CFSR go to <http://www.acf.hhs.gov/programs/cb/cwrp/staterpt/mi/mi.pdf>

⁴ See *AHHS Could Play a Greater Role in Helping Child Welfare Agencies Recruit and Retain Staff*, @ March 2003

Recommendations for Timely Placement

(continued from page 4)

The following are this year's recommendations for achieving more effective safety and permanency outcomes of children in foster care and a summary of the 2001 recommendations that we made including updates on Michigan's progress. Recommendations for temporary court wards are separated from recommendations for permanent court wards. The summaries are segregated in terms of the branches of state government to whom the recommendations were directed.

This Year's Recommendations for Achieving a More Stable Workforce

1. We recommend that the Governor and the Legislature encourage colleges and universities to develop core curriculum for certification of foster care workers.
2. Because private agency workers serve over 60% of the foster care population, but receive less salary than state caseworkers, we recommend that the Governor and the Legislature explore ways to bring the compensation package available to private agency workers on par with that of state caseworkers.
3. We adopt by reference the recommendation that public and private agency leaders work to acquire the following attributes, which arose from an in-depth study done on this issue by the Annie E. Casey Foundation. The Casey study identifies the attributes of social service systems that have a real chance of recruiting and retaining quality workers who can make a difference for children and families. These attributes, detailed in the report *The Unsolved Challenges of Systems Reform: The Condition of the Frontline Human Services Workforce*, include:
 - ☐ Flexibility and freedom to recruit for needed skills
 - ☐ Rewards for superior performance and effectiveness
 - ☐ Reasonable workloads that let workers deploy their skills
 - ☐ Career paths that build on workers' skills rather than moving them up and out
 - ☐ Clear performance expectations that relate to a coherent organizational mission
 - ☐ Training and development opportunities on the job
 - ☐ Ability to change bad management and supervision
 - ☐ Adequate base compensation that can help stem turnover.⁵

2001 Recommendations Revisited: Temporary Court Wards

Recommendations to Agencies

1. We asked agencies to facilitate psycho-social assessments of all involved parents.
Update: *This an area that is being addressed in Michigan's PIP.*
2. We asked agencies to require caseworkers to develop Parent Agency Treatment Plans in conjunction with children (age permitting), parents and other appropriate professionals.
Update: *This an area that is being addressed in Michigan's PIP.*
3. We asked that collaborative decision making and/or **permanency planning mediation** be encouraged in the creation of meaningful treatment plans.
Update: *A study of existing permanency planning mediation programs and their efficacy is underway.*
4. We asked FIA to develop a protocol to determine when concurrent planning is appropriate in light of a parent's past history.
Update: *This continues to be an area needing improvement.*
5. We asked FIA to develop more effective parenting classes.
Update: *This continues to be an area needing improvement; however, the PIP does call for an expansion of the Family to Family initiative along with other client-centered program approaches.*
6. We asked FIA to establish/expand parent mentoring programs
Update: *In June 2002 the FIA requested \$333,000.00 to provide services through the Parent Mentoring/Nurturing Program. And we note that the FIA has selected a contractor to address this need.*
7. We asked FIA/POS agencies to establish partnerships with domestic violence providers.
Update: *We note that The Governor's Task Force on Children's Justice (GTF) is working with the Children's Charter of the Courts of Michigan on the development of a model domestic violence policy.*

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⁵ The Casey report, which addresses job conditions in the fields of child welfare, child care, juvenile justice, youth services, and employment and training, is available online from the Annie E. Casey Foundation at www.aecf.org/publications/hswip.pdf.

Recommendations for Timely Placement

(continued from page 5)

Recommendations to the Judiciary

1. We asked courts to require developmental assessments of children when they are adjudicated as temporary court wards and that the assessments be incorporated into the children's service plans.

Update: *This remains an area needing improvement.*

2. We asked the Michigan Supreme Court to explore creation of an Office of Lawyer-Guardian ad Litem as a vehicle for training, monitoring and enforcing the provisions of applicable statute.

Update: *Because funding is not available for the creation of such an office, the GTF and the SCAO/ Court Improvement Program met to develop a practice protocol, a training curriculum, and to fund statewide training for court appointed attorneys.*

3. We asked the SCAO, in conjunction with FIA, to continue efforts to establish a Family Drug Court model in dependency cases where parental substance abuse is an issue.

Update: *Efforts are underway at the SCAO to expand the number of family drug courts statewide.*

Recommendation to the Legislature

1. We asked the Michigan Legislature to provide adequate funding for foster care and therapeutic services for children and parents.

Update: *Former Governor Engler's 2002 budget included an Adoption Subsidy Program increase of \$21.4 million and \$33.9 million increase for child care. And despite a tough budget year, Governor Granholm is supporting what amounts to a one million dollar increase in the state foster care budget, which excludes a rate increase for foster care placing agencies, but provides an increase for foster parent and adoption subsidy rates, which have not been increased since Oct 2001.*

2001 Recommendations Revisited: Permanent Court Wards

Recommendations to Agencies

1. We asked FIA/POS agencies to recognize and treat attachment disorders early-on in care.

Update: *This continues to be an area needing improvement; however, the PIP calls for improvements in the identification of family and child needs and the delivery of services to address the identified needs.*

2. We asked FIA/POS agencies to establish partnerships with community service organizations to create mentoring program for permanent wards

Update: *This continues to be an area needing improvement.*

3. We asked FIA/POS agencies to train caseworkers to be more knowledgeable about licensing rules and adoption subsidies.

Update: *The PIP calls for FIA policy revisions to ensure that all relatives are given information regarding foster home licensing requirements and on other FIA financial and supportive resources.*

4. We asked FIA/POS agencies to provide intensive support services to foster homes considering adoption of children with severe behavioral problems.

Update: *This continues to be an area needing improvement.*

5. We asked FIA/POS agencies to develop protocol to expedite adoptions where both agencies share caseworker responsibilities

Update: *This continues to be an area needing improvement.*

Recommendation to the Judiciary

1. We asked the Michigan Supreme Court to require that family courts invite interested parties to quarterly post-termination reviews of permanent wards.

Update: *On 5/1/03, the Supreme Court promulgated Rule 3.978, which requires the court to provide foster parents, preadoptive parents or relative providing care to a child with notice of and an opportunity to be heard at each hearing.*

Recommendation to the Legislature

1. We asked the Michigan Legislature to explore recommending a subsidized guardianship program as an option in those cases where adoption is not possible.

Update: *This is an area of concern that is being addressed in the PIP. However, in the PIP the exploration of a subsidized guardianship program is assigned to a joint task force comprised of public and private agencies as well as the state judiciary.*



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Michigan Supreme Court
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FCRBP Mission and Vision Statements

MISSION STATEMENT

The Mission of the Foster Care Review Board is to utilize citizen volunteers to review and evaluate permanency planning processes and outcomes for children and families in the Michigan foster care system. Based on the data collected through case review, the Foster Care Review Board advocates for systemic improvements in areas of child safety, timely permanency, and family and child well-being.

VISION STATEMENT

The Foster Care Review Board will be viewed and valued by the courts, the FIA, private child placing agencies, the legislature, and the citizens of Michigan as a major source of credible data on the performance of the child welfare system in Michigan. Additionally, the citizens will use the data to shape public policy and promote awareness regarding the children's foster care system.

Contributors:

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Dr. Bob Lovell, Ingham County FCRB volunteer and Professor of Statistics, Lansing Community College

A Message from the Chief Justice

With the success of our first statewide celebration of Adoption Day on November 25, 2003, Michigan citizens can truly be proud of the efforts of all those involved in the foster care system. Achieving permanency for the thousands of children lingering in foster care is dependent on a cooperative effort of everyone working in the child welfare arena. The Foster Care Review Board panels are vital to the goal of permanency. These panels are comprised of volunteers who read case materials and interview involved parties, and meet every month to review foster care, on both an individual and systemic basis. The volunteers make oftentimes difficult recommendations about the futures of the children involved, focusing on permanency for those children. Their input is a valuable resource to the courts and agencies striving to attain permanency for this state's foster care children. The volunteers' identification of systemic barriers to permanency assists courts and agencies in their efforts to tackle issues impeding permanency and eliminate the procedural limbo in which this state's foster care children are languishing. I commend their efforts and their input continued in this report.



Maura D. Corrigan
Chief Justice
Michigan Supreme Court